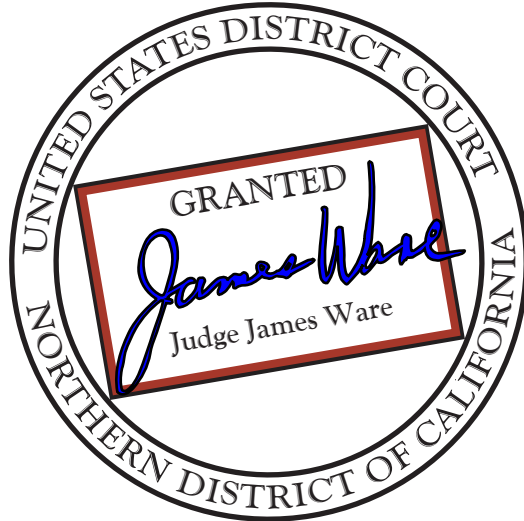


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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JOSEPH BIRDSOONG, INDIVIDUALLY
AND AS REPRESENTATIVE OF THE
CLASS,

Plaintiff,

v.

APPLE COMPUTER, INC.,

Defendant.

Case No. C 06-02280 JW PVT

Judge: Hon. James Ware

~~(Proposed)~~ ORDER MODIFYING
CAPTION

This cause having come before the Court on Defendant Apple Computer, Inc.'s Motion to Modify Caption; and the Court having considered the facts presented and the relief requested; and good cause appearing therefore; and upon due and proper notice to all interested parties; and as this motion is not opposed by Plaintiff:

IT IS HEREBY ORDERED THAT Defendant Apple Computer, Inc.'s Motion to Modify Caption is GRANTED.


1 **IT IS HEREBY FURTHER ORDERED THAT** the caption in this action shall be
2 modified to replace Defendant's former name stated as "Apple Computer, Inc." with Defendant's
3 current name, "Apple, Inc."

4 **IT IS SO ORDERED.**

5 The Clerk shall modify the docket to reflect this change.

6 The hearing presently scheduled on April 16, 2007 is VACATED.

7 Dated: April 2, 2007

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Hon. James Ware
United States District Court Judge